



DEPARTMENT OF HEALTH & HUMAN SERVICES

ADMINISTRATION FOR CHILDREN AND FAMILIES
330 C Street, S.W.
Washington, D.C. 20201

Case No. 19-F-0010 (American Oversight 18-2840)

March 27, 2019

Sent via email: foia@americanoversight.org

Dear Mr. Evers:

This is in response to your enclosed Freedom of Information Act (FOIA) request to the Administration for Children and Families (ACF). You requested:

1. Records sufficient to identify total costs of crafting and implementing the family separation policy for FY 2018 and FY 2019 (including funds obligated for and reprogrammed to efforts related to the family separation policy in FY 2018, as well as funds requested for FY 2019).
2. Records sufficient to identify the programs from which funds for housing and reuniting children separated from their parents have been diverted, as well as the amount of funding diverted from those programs.

Agency employees have advised the information you are seeking can be found on page 10 of the Report to Congress on Separated Children. That report can be found at:

<https://delauro.house.gov/sites/delauro.house.gov/files/HHS%20Report%20to%20Congress%20on%20Separated%20Children.pdf>.

If you have any concerns regarding the processing of your request, you may contact the HHS/ACF FOIA Public Liaison for assistance at:

Kenneth Wolfe, FOIA Public Liaison
HHS FOIA Public Liaison
U.S. Department of Health and Human Services
ACF, Office of Communications, 4002A
330 C. Street S. W.
Washington, DC 20201

Sincerely yours,

Carla C. Smith -S
Digitally signed by Carla C. Smith -S
DN: c=US, o=U.S. Government,
ou=HHS, ou=ACF, ou=People,
cn=Carla C. Smith -S,
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Date: 2019.03.27 12:26:18 -04'00'

Celeste Smith
Director, Freedom of Information
Office of Communications
Administration for Children and Families
Department of Health and Human Services

abuse allegation involving minors, CPS or state licensing may cross-report to local law enforcement. If an allegation involves an adult, the care provider must independently notify local law enforcement.

If a sexual abuse allegation involves a staff member, the care provider is required by regulation to suspend the staff member from all duties that would provide the staff member with access to UAC pending investigation.

ORR policies on sexual abuse and harassment appear on-line in the ORR Policy Guide at section 4: <https://www.acf.hhs.gov/orr/resource/children-entering-the-united-states-unaccompanied>.

ORR also published an interim final rule on the “Standards to Prevent, Detect, and Respond to Sexual Abuse and Sexual Harassment Involving Unaccompanied Children.”²³

ESTIMATE OF EXPENDITURES IN FY 2018 AND FY 2019

The language in the Appropriations Act for financial information is as follows:

Provided further, that such plan shall include an estimate of expenditures in fiscal year 2018 and an estimate of anticipated expenditures in fiscal year 2019 related to housing children who were separated from their parents at the border as well as activities to reunify such children with their parents.

The estimates of expenditures in FY 2018 and FY 2019 related to the care and reunification (or other appropriate discharge) of possible children of potential *Ms. L.* class members is below. The estimates are based on 2,667 minors identified as possible children of potential *Ms. L.* class members. ORR estimates the shelter costs, including clothing, education, recreation, and food at \$58,800,000. The estimated DNA screening costs are \$1,400,000.²⁴ The estimated medical services are \$2,670,000. The estimated legal services are \$4,010,000. The estimated case management and program support costs are \$13,470,000.²⁵ As of November 1, 2018, the total estimated cost is \$80,350,000, or four percent of the total amount of funds obligated for the UAC program in FY 2018. This cost is only a small part of total UAC costs in FY 2018. The costs incurred are ongoing as separated children remain in ORR custody.

| Number of Children | Average Days in ORR Care - per child | Estimated Shelter Costs - including Education and Food | Estimated DNA Screening | Estimated Medical Services | Estimated Legal Services | Case Management and Program Support | Total Estimated Cost |
|--------------------|--------------------------------------|--|-------------------------|----------------------------|--------------------------|-------------------------------------|----------------------|
| 2,667 | 83 | \$58,800,000 | \$1,400,000 | \$2,670,000 | \$4,010,000 | \$13,470,000 | \$80,350,000 |

²³ 45 CFR Part 411.

²⁴ DNA testing is utilized to verify parentage for children and parents where authenticated documents (such as birth certificates) are unavailable.

²⁵ This includes funding ORR reimbursed HHS/ASPR: \$3,500,000 for assistance in reunification costs; transportation costs to reunification sites; and costs incurred by grantees and contractors.